

**Amendment No. 2 to HB0131**

**Head  
Signature of Sponsor**

**AMEND Senate Bill No. 1352**

**House Bill No. 131\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 14, Part 2, is amended by adding the following new sections:

**Section 8-14-212.**

(a) Effective July 1, 2004, there is created seventeen (17) additional assistant district public defender positions to be designated in judicial districts as provided in this section.

(b)

(1) The executive director of the district public defenders conference, the administrative director of the courts and the comptroller shall meet and prepare a report that contains the recommendations of such officials as to the specific judicial districts in which the additional assistant district public defender positions created pursuant to subsection (a) should be designated.

(2) By October 1, 2004, the executive director of the district public defenders conference shall file the report prepared pursuant to subsection (b)(1) with the speaker of the senate and house of representatives and chair of the judiciary committee of the senate and house of representatives. Upon the filing of such report, the district public defenders recommended by the report to receive additional assistant positions shall be authorized to interview and employ persons to fill such positions.

(c) As early as is practicable during the first session of the one hundred fourth general assembly, the general assembly shall consider

and enact legislation that specifically designates the judicial district in which the person employed in the additional assistant district public defender positions created pursuant to subsection (a) will serve.

**Section 8-14-213.**

(a) The group of officials designated in § 8-14-212(b)(1), shall devise and prepare a new caseload study for district public defenders. The study shall take into account all factors relevant and necessary to monitor and track district public defender caseload activity and predict where and how many new assistant district public defenders will be necessary in the future. Such factors that may affect the caseload in a judicial district shall include, but not be limited to, the presence or absence of the following:

- (1) A large concentrated population;
- (2) A prison or juvenile facility;
- (3) A college or university;
- (4) State or national parks
- (5) Lakes and other bodies of water;
- (6) Vacation attractions whether natural or man-made;
- (7) Interstate highways;
- (8) Number of counties in the district and geography of the district;
- (9) Any other appropriate and relevant factor.

(b) By July 1, 2005, the executive director of the district public defenders conference shall file the caseload study prepared pursuant to subsection (a) with the speaker of the senate and house of representatives and chair of the judiciary committee of the senate and house of representatives.

SECTION 2. This act shall take effect July 1, 2004, the public welfare requiring it.